

## IN THE UNITED STATES DISTRICT COURT

## FOR THE DISTRICT OF HAWAII

SPORTS SHINKO CO., LTD., a Japanese corporation,	CIVIL NO. CV 04-00124 ACK/BMK
Plaintiff,	CONSOLIDATED CASES
vs.	<b>DECLARATION OF STEVE IWAMURA</b>
QK HOTEL, LLC, a Hawai'i limited liability company, et al.,	
Defendants,	
and	
FRANKLIN K. MUKAI,	
Third-Party Plaintiff,	
vs.	
SPORTS SHINKO (USA) CO.; LTD., a Delaware corporation, et al.,	
Third-Party Defendants.	
SPORTS SHINKO (USA) CO., LTD., a Delaware corporation,	CIVIL NO. CV 04-00125 ACK/BMK

(Plaintiff) vs.

MILILANI GOLF CLUB, LLC,  
a Hawai'i limited liability  
company, et al.,

Defendants,

and

FRANKLIN K. MUKAI,

Third-Party Plaintiff,

vs.

SPORTS SHINKO CO., LTD.,  
a Japan corporation, et al.,

Third-Party  
Defendants.

### **DECLARATION OF STEVE IWAMURA**

I, STEVE IWAMURA, declare as follows:

1. I make this declaration based on personal knowledge

and I am competent to testify to the matters set forth below.

2. I am a certified public accountant with my office in  
Osaka, Japan. During February, 2002 through April, 2004, I acted

as the consultant for Trustee Mutsuo Tahara (the "Trustee"), Trustee  
in Bankruptcy during the then pending involuntary reorganization  
proceedings for Sports Shinko Co., Ltd., a Japan corporation. In that  
capacity, I also handled many administrative and substantive issues.

for Sports Shinko (USA) Co., Ltd., a Delaware corporation ("SS USA"), as directed by Deputy Bankruptcy Trustee Keijiro Kimura.

3. My duties for the Trustee and Deputy Trustee Kimura regarding the U.S. Sports Shinko entities and properties included, among other things: (i) supervising accountants and attorneys doing work for the Sports Shinko companies; (ii) communicating with and directing Ms. Lucinda ("Cindy") Brown of Katron Group, Inc. in West Virginia as to matters concerning SS USA; (iii) communicating with and directing Thomas Hayes' work for Sports Shinko (Hawaii) Co., Ltd.; (iv) communicating with others winding up the business of SS USA; and (v) handling payments of fees to Mr. Hayes, Katron Group, Inc. (Ms. Brown), and others, all under the direction of the Trustee and Deputy Trustee.

4. I performed all of my duties for the Trustee and Deputy Trustee related to SS USA from my office in Osaka, Japan. As of February 20, 2004, all executive and managerial decisions with respect to SS USA were made by the Deputy Trustee, as approved by the Osaka District Court in Osaka, Japan. I acted based on the directions of the Trustee and Deputy Trustee in Osaka.

5. From the start of the bankruptcy in February, 2002 to its end in April, 2004, SS USA was engaged only in winding up the affairs of its subsidiaries in California, Hawai'i, and Florida, including

Thornton to obtain such payment records from him so the bookkeeping they were performing for SS-Hawaii and subsidiaries would be complete.

17. I reviewed Exhibits "10", "11" and "12" to the KG Defendants' motion to dismiss. Grant Thornton mistakenly used Mr. Hayes' address, contrary to my instructions to them on September 11, 2003 to utilize the West Virginia address of Lucinda Brown of Katron, Inc. for purposes of the SS USA tax returns.

*I declare under penalty of perjury under the Laws of the United States of America that the foregoing is true and correct.*

EXECUTED: Osaka, Japan, January 25, 2007.

/s/ Steve Iwamura  
STEVE IWAMURA

APPROVING: STEVE IWAMURA, ATTORNEY-IN-FACT  
REPRESENTATIVE FOR THE DEFENDANT